

ADS 253 - Training for Development

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Functional Series 200: USAID Program Assistance
ADS Chapter 253 - TRAINING FOR DEVELOPMENT

253.1 Authority

1. [Foreign Assistance Act of 1961, as amended](#)
2. [22 CFR 514](#), (the Fulbright-Hays Act)
3. [49 USC Sec. 40118](#)
4. U.S. Internal Revenue Code, 1986
5. [AIDAR Clause 752.7019](#)
6. [41 CFR 301-7](#)
7. [USAID Gender Plan of Action \(USAID Policy Determination, March 12, 1996\)](#)
8. [EO 12876](#)
9. [USAID Disability Policy Paper, September 12, 1997](#)
10. Rehabilitation Act
11. 1996 Report on Disabilities (USAID document PN-ABY-746)

253.2 Objective

To provide policy governing the effective, efficient design and implementation of training programs conducted in the U.S., host countries, or third countries for the purpose of developing host country nationals not employed by USAID.

All training financed in whole or in part by USAID, or administered under its authority whether in the U.S., a host country, or in a third country, falls under the purview of this chapter.

253.3 Responsibility

1. Bureau for Global Programs, Field Support, and Research, Human Capacity Development Center (G/HCD)

G/HCD is responsible for setting overall training policy for USAID. As appropriate under re-engineering, G/HCD furnishes leadership and guidance in the design, implementation, and monitoring of training activities to sponsoring units, their contractors, grantees, or cooperative assistance partners.

G/HCD also collects training data from sponsoring units or their contractors/partners to fulfill a central USAID function of answering Congressional inquiries, reporting annually to USIA on J-1 visa use, and providing feedback to sponsoring units on cost-saving or other ideas.

2. USAID/W and Missions:

Sponsoring units are responsible for results from activities they undertake in training design, implementation, and monitoring.

3. Strategic Objective Teams:

Training is planned, implemented, and funded by Strategic Objective Teams or other sponsoring units, with technical guidance from training specialists.

4. Sponsoring Units:

Sponsoring units retain responsibility for performance results and use of resources by their contractors.

USAID activity managers of centrally funded or -managed training programs, and their contractors, cooperative agreement partners, or grantees are responsible for coordinating with USAID Missions in affected countries on training policy and essential procedures to avoid conflict and contradictions.

253.4 Definitions (See [ADS GLOSSARY](#))

academic training
Best Practices
conferences
contractor, training
cost containment
cost-sharing
covered countries
disability
follow-on
Health and Accident Coverage (HAC)
host country
host country national
IAP66A form
in-kind contribution
Individual Taxpayer Identification Number (ITIN)
J-1 visa
non-returnee
Non-Returnee Report
observation tours
on-the-job training
participant
partner
programming agent

sponsoring unit
stakeholders
stakeholder compact
Statement of Expenditure
third country
third country national
TraiNet
Training
training agreement (aka stakeholder compact)
training impact
training, in-country
training, informal
training provider
training, technical
training, third-country

253.5 POLICY

The statements contained within the .5 section of this ADS chapter are the official Agency policies and corresponding essential procedures.

253.5.1 PROCEDURAL GUIDANCE

Responsibility for performance results and use of resources by partners of sponsoring units working under grants or cooperative agreements is shared between the sponsoring unit and partner, although partner accountability to USAID is set by the terms of the grant or agreement.

WAIVERS: Waivers of mandated requirements generated outside USAID can only be granted by the mandating agency, not USAID.

As indicated herein, Mission directors or USAID/W office directors have the authority to waive or deviate from certain internal USAID policies and essential procedures according to local circumstance, provided that justification for such waivers is recorded and retained in sponsoring unit files.

All USAID sponsors, contractors, or other designers or implementers of training are expected to familiarize themselves with Best Practices guidance, and to apply such guidance where applicable. The Mandatory Reference contains additional information related to each corresponding policy reference. **(See Mandatory Reference, [Detailed Guide for Training Results](#))**

E253.5.1 Procedural Guidance - N/A

253.5.2 PLANNING AND IMPLEMENTING TRAINING ACTIVITIES

The planning and implementing of training activities must include the following in the initial program plans:

- a) Training must be designed and implemented for results and impact. Training must directly support a specific Results Package (RP) under a sponsoring unit Strategic Objective.
- b) Sponsoring units must plan, track, manage for results and report on their training activities as part of their broader performance measurement, evaluation, and reporting requirements.
- * c) Training must be designed and carried out with the fullest possible application of cost control analysis and cost-sharing practices. **Distance learning must be investigated and utilized to the fullest extent possible.**
- d) Developing measures of impact from training expenditures and effort is required by re-engineering and also as a cost containment measure.
- e) Policy requirements contained on the Conditions of Training form (**Form [AID 1381-6](#)**) such as automobile ownership/rental, dependents, and legal problems, are to be strictly followed. (**See Mandatory Reference, [Detailed Guide for Training Results.](#)**)
- f) Missions are to select and include for training (both academic and technical) qualified persons with disabilities, and indeed persons with disabilities who are members of disability-oriented organizations in their nations. It is hoped that the benefits of training abroad will be shared with many others through those organizations. (**See Mandatory Reference, [Detailed Guide for Training Results.](#)**)

E253.5.2 Planning and Implementing Training Activities

Procedures required for the planning and implementing of all training activities are found in the Mandatory Reference. (**See Mandatory Reference, [Detailed Guide for Training Results.](#)**)

E253.5.2a Participant Eligibility/Conditions; Dependent Travel; Participants with Disabilities

The following conditions must be observed in determining participant eligibility for U.S. training:

- 1) Individuals sponsored for USAID training must be citizens or legal residents of the host country, and they must meet the criteria in ADS 206, "Prohibition of Assistance to Drug Traffickers," if from a COVERED COUNTRY (**See [ADS 206](#)**);
- 2) The Strategic Objective Team on a case-by-case basis must approve third country nationals for participant training. Considerations normally include the cost-effectiveness of such training, and the likelihood of the third country national's return for work in the host country;
- 3) U.S. citizens and U.S. permanent residents living abroad are not eligible for USAID-sponsored training, unless the need for such training is critically related to attaining strategic objectives, and the sponsoring unit is willing to make an exception on an individual basis.
- 4) Participants in academic programs in the U.S. or a third country must bear a full-time student course load as defined by the training institution attended. Academic training programs that bridge the summer months must include full-time summer study as well; and
- 5) Prior to approving dependent travel, the Dependent Certification (**Form [AID 1380-5](#)**) must be completed, and all dependent requirements must be met. USAID has no obligation to pay for accompanying family members of a participant. Support of dependents is the sole responsibility of the participant. (**See also Mandatory Reference, [Detailed Guide for Training Results](#).**)

E253.5.2b Documentation

Participants studying in the U.S. must possess a completed medical examination form except when covered by the 30-day HAC policy which requires no medical exam, as well as a Health and Accident Coverage (HAC) identifying number, a stakeholder compact, a Conditions of Training Form (**Form [AID 1381-6](#)**), and a Mission-approved Information Agency Program Form 66A (**Form [IAP-66A](#)**) for requesting the J-1 non-immigrant exchange visitor visa.

Stakeholder Compacts include, but are not limited to:

- 1) Definition of expected outcomes from training, in performance terms;

- 2) The agreed-to date that the returnee will appear for work to apply the benefits of training on the job, and other specific conditions of training;
- 3) A plan for attaining agreed-to performance objectives through training and follow-on, including stakeholder responsibilities;
- 4) Proposed means to measure training impact; and
- 5) Notification of the responsibility of USAID regarding medical claims that exceed the limits of medical coverage provided by the USAID HAC program.

Additional provisions may be added depending on the individual circumstances of the program and participant.

Sponsoring units or their contractors, grantees, and cooperating partners must also ensure that:

- 1) A tax-related Individual Taxpayer Identification Number (ITIN) is obtained for each U.S. participant using the Immigration and Naturalization Service (INS) W-7 request form;
- 2) A Statement of Expenditures (detailing training-related expenditures paid from U.S. sources on behalf of the participant) accompanies each income tax filing on behalf of participants; and
- 3) Non-returnees (see definition) are reported in a timely manner. A Non-Returnee Report must be provided to the Bureau for Global Programs, Field Support, and Research, Human Capacity Development Center (G/HCD) for filing with the appropriate district office of the INS.

E253.5.2c Non-Returnees

All sponsoring units must track participants for timely return to their workplace or professional setting in their home countries. Efforts at non-returnee rate reduction must be continuous and focused on the planning, design, participant selection, and progress monitoring as well as on tracking participants' post-training whereabouts and reporting to G/HCD if a non-returnee is back in the country.

Sponsoring units or their monitors must report all non-returnees to G/HCD in writing. G/HCD then reports the participant to the Immigration and

Naturalization (INS) office having jurisdiction over the non-returnee's training site.

A participant becomes a non-returnee upon exceeding the return date agreed to by all parties in the stakeholder compact/conditions of training. The return date must be specified, and shall be:

- The date determined in the stakeholder compact for the participant to return to work;
- The scheduled date of departure from the U.S. on the IAP66A Form, with provision made for travel time home; or
- The agreed-upon date of a formal meeting between the returnee and the USAID Mission or in-country contractor.

E253.5.2d Invitational Travel

No participant coming to the U.S. for any formal or informal learning objective, who is wholly or partly sponsored by USAID, is eligible for invitational travel status and documentation. USAID policy on invitational travel as applied to presenters or lecturers at U.S. conferences is contained in ADS 522 (See [ADS 522](#)).

E253.5.2e Tracking and Monitoring

The following criteria are involved in the tracking and monitoring of USAID trainees and training programs:

- 1) Use of Training Results and Information Network (TraiNet). The Office of Management and Budget (OMB) in accordance with the Paperwork Reduction Act approved TraiNet as the official USAID training database. The OMB number for TraiNet is 0412-0554, expiration date: 05/31/2001.

TraiNet is the Agency-wide database training management system, jointly supported by G/HCD and by the Bureau for Management, Office of Information Resources Management, Division of Software Development Maintenance (M/IRM/SDM).

Until the TraiNet system is operational on-site, Missions must continue to use existing G/HCD-approved data systems to manage training, such as the Participant Training Management System (PTMS).

- 2) Monitoring

Monitoring of participant progress, generally performed by Mission contractors, is intended to ensure that the participant's training is successful and that problems are identified and resolved quickly.

Strong monitoring requirements must be written into a Mission's scope of work when acquiring training programmer services. At a minimum, monitoring must include assurances that:

- a. The participant has arrived and settled into appropriate living quarters;
- b. The training program meets the requirements of the Mission's Training Implementation Plan;
- c. The participant is enrolled in a full course of study if in an academic program or is regularly attending scheduled activities and/or sessions of a technical program;
- d. Adequate levels of achievement are being met;
- e. No serious personal or health problems develop which impair the successful completion of the program; and
- f. Departure arrangements are made upon completion or termination of the program, and the appropriate USAID Mission is informed of the arrangements.

3) Monitoring Reports and Forms:

Monitoring report requirements are established through USAID's arrangements with designated programming agents/contractors. In addition, trip reports from site visits or problem resolution must also be provided to the sponsoring office.

The following reports/forms must be completed and reviewed, when appropriate, as part of the monitoring cycle.

- a. "Academic Enrollment and Term Report" (AETR)

Academic progress is monitored by reviewing the Academic Enrollment and Term Report (AETR) (**Form [1380-69](#)**) at the end of each term. This form may also be used to monitor the progress of technical participants enrolled in universities or colleges for non-degree training of five months or longer or when a training institute gives the program whose

programs have a formal structure. Contractors are responsible for obtaining this report from academic institutions and providing it to USAID sponsoring units.

b. Visa Extension and Support Information (IAP66A)

Each participant arriving in the United States must possess a USAID sponsored J-1 visa. As part of the monitoring function, the programming agent must ensure that the student continues to have a valid visa if the participant did not receive an IAP66A valid for the entire program, and secure the necessary approvals to maintain a valid visa from G/HCD.

c. Returned Participants Follow-on Activities Report.

The SO Team member responsible for training is responsible for determining whether or not to prepare an annual follow-on report detailing the support services and activities provided to returned participants.

*

d. Trip and problem resolution reports

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The monitoring contractor is responsible for providing such reports to the sponsoring unit.

E253.5.2f Participant Training from non-USAID Presence Countries and from Countries Where the USAID Mission Is Not Able to Provide Processing Assistance

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ADS 201 provides additional guidance regarding the programming of USAID funds in non-presence countries. (See [ADS 201](#))

Participant training from non-USAID presence countries presents some unique documentation and monitoring problems. In addition, recent cuts in Mission staffing have left some missions unable to provide assistance with processing requirements for centrally funded participant training programs. Information in this section is provided for those special needs, and coincides with information provided for participant training from countries where there is no direct USAID presence, or where an individual mission cannot provide assistance. Agency units that sponsor training programs for participants from non-USAID presence countries, or from missions that cannot provide processing assistance, must arrange the design and monitoring to ensure full responsiveness to ADS 253 directives. This process generally requires both an in-country agent for

pre-departure and follow-on activities, and a U.S.-based presence to monitor the program and track participants' return home.

*

Pre-departure requirements include signing a medical certification unless the 30-day option is selected, and enrolling the U.S.-bound participant in the Health and Accident Coverage (HAC) medical insurance system. If pre-existing conditions are found during medical certification, the sponsoring unit must either sign a medical waiver and agree to cover any medical claim related to the specified condition, or approve the cost of a second insurance program that will cover any claims resulting from such pre-existing condition(s). **The reviewing officer approving trainee departure in the light of medical evidence may be the CTO, or a delegation of authority may be completed to assign this responsibility to an FSN or PSC. Authority to waive a medical condition is not to be delegated outside the Agency.**

The sponsoring unit's in-country agent must also ensure that prior to departure the participant is appropriately screened for English language capability; receives the appropriate USAID IAP66A form necessary for the J-1 visa; is provided with an orientation about the training program, the sponsor's objectives, and the participant's obligations; and signs the Stakeholder Compact and the Conditions of Training Form. G/HCD signs the IAP66A for training from countries with no USAID presence or if the mission was not able to provide assistance.

E253.5.2g Women in Development and Historically Black Colleges and Universities (HBCUs)

1) WOMEN IN DEVELOPMENT (WID): In accordance with Agency policy on Women in Development, G/HCD has established an annual target of 50 percent women in new trainee third country and U.S. enrollments. This target applies to each Mission (not to individual strategic objectives). It does not apply to in-country training. In view of structural or cultural conditions beyond Mission's direct control in some countries, Missions or central bureaus must document to the file reasons for variances exceeding 10 percent in any given year, and intended plans to make progress toward sponsoring unit targets. For assistance in meeting these targets, contact the Bureau of Global Programs, Office of Women in Development (G/WID).

2) HISTORICALLY BLACK COLLEGES AND UNIVERSITIES (HBCUs) and other Minority Serving Institutions (Hispanic Serving Institutions and Tribal Colleges and Universities): In accordance with the President's Executive Orders 12876, 12900 and 13021, Missions and bureaus shall endeavor to the maximum extent possible to maintain current levels of participation from Minority Serving Institutions, as well as

extend this participation more broadly throughout the range of USAID programs.

253.5.3 THIRD-COUNTRY TRAINING

As a cost containment strategy, sponsoring units or their contractors must consider the option of third-country training. This option often combines the instructional stimulus of a different milieu with procedural simplicity and cost savings.

E253.5.3 Third-country Training

The following essential procedures must be followed in instances of third-country training.

- *
 - a) Once TraiNet becomes operational, third country training participants must be recorded by individual name in the TraiNet data base, as are U.S. participants, and not in clusters by training activity, as with in-country participant records.
 - b) Third-country training participants must have health insurance. Since the HAC provider used for U.S.-based trainees does not provide HAC insurance for third-country training, sending missions or their contractors must determine appropriate coverage levels and providers in consultation with those knowledgeable in the receiving country.
 - c) Third-country training shall not take place in countries that are:
 - 1. Developed free-world countries, i.e. on the list of excepted countries under USAID Geographic Code 941 (**See listing of frequently used USAID Geographic Codes at [22 CFR 228.03](http://www.usaid.gov/M/OP/P/cfr228.htm), at the USAID website:** <http://www.usaid.gov/M/OP/P/cfr228.htm>);
 - 2. Donors to the USAID recipient country; or
 - 3. Countries considered unfriendly by the U.S. Department of State, and to which travel by U.S. citizens is prohibited.
- *
 - d) The Mission Director (**or designee**) may waive restrictions **the requirements in c1 and c2**, with a memo to the file when:

- Instruction at the training site and country selected is critical to achieving strategic objectives;
- The participant has proficiency in the language of instruction in the selected country; and
- Similar training is unavailable in the U.S. or in an independent country described under Code 941 of the Geographic Code Book.

* **The Mission Director alone may waive the restriction in c3.**

253.5.4 IN-COUNTRY TRAINING

Once TraiNet is operational within a Mission or bureau, aggregated data on in-country training programs must be entered into TraiNet by sponsoring units or their contractors under whose strategic objectives or results packages the programs fall.

Sponsoring units must determine whether specific in-country training activities subject them to any risk of HAC liability for medical costs incurred by trainees, and if so take appropriate steps. HAC insurance for U.S. participants does not cover in-country training situations.

E253.5.4 In-country Training

Training data must be consolidated according to training program or sub-program, and must identify:

- Subject area of training;
- Total trainees per participant group, with gender breakdown;
- Total cost of training for each program; and
- Direct training costs (program costs, not overhead/fees).

Data is not required to be entered into TrainNet for any in-country training programs or sub-programs of less than 3 consecutive class days in duration, or 15 contact hours scheduled intermittently. However, missions wishing to include in their reporting shorter in-country training events critical to local development efforts are urged to do so as well.

253.5.5 COST TRACKING

Cost control principles must be employed wherever possible in all phases of participant training (U.S.-based, third country, or in-country training).

E253.5.5 Cost Tracking

The following essential procedures must be used to guarantee appropriate cost tracking:

a) **REQUIRED COST REPORTING:** Direct training expenditures must be grouped under the three cost categories captured by TraiNet: Instruction, Participant, and Travel. Instruction, Participant, and Travel can be further defined using any detailed line-items required by the training contract, cooperative agreement, technical assistance contract, or contractor's accounting systems according to the following cost categorizations.

1. **INSTRUCTION** includes those costs directly incurred to convey knowledge or impart training. A sample list of instruction costs includes the following items or their functional equivalents:

- Technical training program fees;
- Instruction portion of a packaged program;
- Published academic tuition and fees;
- Books, equipment, supplies, course-handouts;
- Dissertation/Thesis expenses, typing allowance;
- Seminar/Conference registration fees;
- Workshop fees;
- Professional society membership fees;
- English language training;
- Orientations, and airport Meet and Greet services;
- Escort/Interpreter's fees; and
- Supplemental enrichment programs;

Note: In-country training costs embedded within an overall technical assistance activity and not clearly separable from other

expenditures must be estimated and must include proportionately, staff time and other identifiable training costs.

2. PARTICIPANT includes those costs directly incurred to meet the personal needs and program requirements of the individual participant. A sample list of participant costs includes the following items or their functional equivalents:

- Maintenance allowances and Per Diem rates;
- Health and accident insurance premium;
- Medical Examination fees;
- Visa or IAP66 fees;
- W-7 certification fees (certification of non-U.S. residence for tax purposes); and
- Income taxes: Federal, State, Local.

3. TRAVEL includes those costs directly incurred transporting the participant from the home country to the training country and back as well as costs related to travel within the training country. A sample list of travel costs includes the following items or their functional equivalents:

- International travel costs (air, train, bus);
- Any travel to training site.

b) Sponsoring units must document their reasons for selecting higher-cost training sites or programs that appear to be functional equivalents to lower-cost alternatives.

c) The principles of cost sharing must be observed whenever possible, but application of cost sharing must be flexible and case-specific to the capabilities of cost-sharers. A 25% contribution of total training costs by other contributors is a general target. In-kind contribution can be counted toward cost sharing when assigned a reasonable monetary value. TraiNet captures the cost sharing of partners.

253.5.5a TUITION AND ADMINISTRATIVE FEE CAPS

Training objectives are determined before costs are addressed. At the same time, general caps on total tuition and administrative fees at long-

term training sites for programs lasting nine months or more are to be observed. (See [ADS E253.5.5a](#))

The Mission Director or designee is authorized to waive these caps in individual instances, with written justification specifying why the cap is not in the cost-benefit interest of the sponsoring unit.

E253.5.5a Tuition and Administrative Fee Caps

Tuition cap figures are based on general rates for current undergraduate and graduate out-of-state students, and adjusted for the actual costs and special needs of USAID-funded participants:

- 1) Undergraduate enrollment: \$11,000 per standard U.S. academic year, for institution's tuition and administrative fees;
- 2) Graduate enrollment: \$12,600 per standard U.S. academic year, for institution's tuition and administrative fees; and
- 3) A 5% inflation factor may be added in each successive year starting with the 1998-1999 academic year.

253.5.5b ALLOWANCES

All USAID-sponsored participants must receive no more than the prescribed USAID allowance rate, unless the sponsoring unit gives authorization for a higher rate, owing to individual circumstances.

E253.5.5b Allowances

The published allowance rates are not to be paid in full without cause. If the full amount is not required, payment must be adjusted accordingly.

Participant maintenance allowances fall into two categories that Missions or their contractors must observe.

- 1) Long-term Training occurring in academic settings (nine months or longer), whether for an academic degree or a technical certificate of completion.

These rates for U.S. training sites are calculated and maintained by the Institute for International Education (IIE) for the U.S. Information Agency, and are found on the Internet website:

<http://www.iie.org/fulbright/posts/restrict/mmr>

(click on "Monthly Maintenance Rates 1999-2000" and then find the correct state listing)

Allowance rate schedules are also available in hard copy from G/HCD for only those sites without access to Internet.

2) Short-term training activities (under nine months) allowance rates are based on the Standardized U.S. Government Federal Travel Regulations (GTR) (i.e., standard per diem rates), as established by the General Services Administration (GSA), and are found at 41 CFR 301-7 and -8 (**See Mandatory References, [41 CFR 301-7 and -8](#)**).

3) Interpreter's rates must be negotiated for each program to the lowest possible rate. Department of State rates for interpreter services are no longer to be used as the basis for establishing interpreter fees.

4) Monitoring contractors are reminded that maintenance allowances must be reduced in an amount equal to any additional money received directly by a participant in the form of a scholarship, assistantship, or wages. Participants are to receive only an amount established by the monitoring contractor/sponsoring unit, based on the prescribed rate.

253.5.6 EXTERNAL REQUIREMENTS

USAID shall observe the following five areas of documentation or essential procedures required to satisfy provisions of law, statute, or regulation determined by Federal agencies external to this Agency:

- a) U.S. J-1 visas for participants required to hold such documents in order to travel to the U.S.;
- b) HAC insurance;
- c) Health eligibility and English proficiency of participants at U.S. training sites;
- d) The use of U.S. commercial carriers for travel; and
- e) Applicable U.S. income tax regulations governing U.S.-source income.

E253.5.6 External Requirements - N/A

253.5.6a EXTERNAL: VISAS

U.S. Government regulations require any foreign national attending a training activity in the U.S., who is sponsored fully or in part with U.S. Government funds, to enter the U.S. on a J-1 visa (non-immigrant student visa for formally sponsored students/participants). This regulation applies to programs of any length, including those of under two weeks. Accordingly, all USAID participants traveling to the U.S. must use the J-1 visa exclusively.

Participants who already hold valid B-1/B-2 visitor visas to the U.S. are still required to obtain, use, and abide by the terms of the J-1 visa to participate in USAID-sponsored training. Returnees from U.S. training may continue to use valid B-1/B-2 visas for short trips while fulfilling the two-year, home-country residency requirement before permanent U.S. residence is allowed.

- 1) J-1 VISA: J-1 visas must be used by the host country's legal permanent residents nationals or non-U.S. citizen residents of the host country when coming to the United States to engage in any training activity, including conferences.

J-1 visas are issued for the projected duration of training only.

- 2) J-1 VISA DOCUMENTATION:

Sponsoring units and their contractors, grantees, or cooperating partners are responsible for preparing in a timely fashion the IAP66A form required as visa documentation for each participant. The accompanying documentation must include the certification of medical eligibility, Health and Accident Insurance Coverage (HAC), and English proficiency. The signed IAP66A form must be presented to the U.S. Consular Official as part of the participant's J-1 visa request.

E253.5.6a External: Visas

The following essential procedures must be followed for all U.S.-based participant trainees.

- 1) TWO-YEAR FOREIGN RESIDENCY REQUIREMENT AND WAIVER: Under terms of the Visitor Exchange Act, J-1 users must reside for a total 24 months in the respective host country before being eligible for H-1 or L-1 non-immigrant visas or for legal permanent residence in the U.S. Only The State Department, in consultation with G/HCD, is authorized to review and grant waivers

of this requirement. Sponsoring Units must advise all participant trainees of the two-year residency requirement.

After September 30, 1999, the State Department and G/HCD review of home residency waiver requests from individual participants often requires G/HCD to request program information from the monitoring contractor and/or sponsoring unit.

All USAID sponsoring units or their contractors/ partners/grantees must inform participants of the two-year, home country residency requirement, which is specified under Conditions of Training, upon completion of sponsored training. This must be done before training candidates accept USAID sponsorship.

Marriage to a U.S. citizen does not excuse the participant in any way from completing the two-year, home country residency requirement.

2) TRANSFERRING VISA SPONSORSHIP: G/HCD alone has the authority delegated from the State Department to transfer J-1 visa sponsorship from USAID's program to another (e.g., a university J-1 program). G/HCD will not transfer its program sponsorship, except when the trainee was originally identified as a USAID participant in error.

3) EMPLOYMENT: USAID-sponsored participant holders of J-1 visas are not allowed to be employed except in connection with an assistantship, on-the-job training, or practical training experience that is an integral part of the training program. Such employment is limited to 18 months and must be authorized by the sponsoring unit. When a salary or stipend is paid, the maintenance allowance is reduced by the net amount paid.

Participants may accept part-time employment (not to exceed 20 hours per week) under the following conditions:

- a. Employment is required by an urgent subsistence or medical or other need that has arisen since the participant arrived and the maintenance allowance cannot be adjusted upwards sufficiently. Financial needs associated with having dependents in the U.S. are not sufficient justification for employment;
- b. Employment does not cause the participant to reduce preparation and studies below the full-time level; and

- c. Employment has the written approval from the participant's sponsoring unit.

If a participant's program begins to be affected by the employment, the Contractor must notify the sponsoring unit immediately and take steps to have the participant discontinue the employment.

253.5.6b EXTERNAL: HAC INSURANCE AND CERTIFICATION OF MEDICAL ELIGIBILITY

Health and Accident Coverage (HAC) Insurance is required for all U.S.-based participants.

- 1) Insurance coverage:

All participants whose training in the U.S. is wholly or partially financed by USAID are enrolled in the Agency's HAC Program. The Health and Accident Coverage (HAC) Program covers the usual, customary, and reasonable charges for required medical services with a small co-payment. HAC coverage begins at the time the participant leaves the home country and continues until the moment of return to the home country. HAC coverage arranged under G/HCD contracts applies to U.S. training and travel to and from the home country only. Agency HAC contracts do not cover any training that takes place outside the U.S.

USAID-sponsored participants/stakeholders are to be advised that USAID is not responsible for any medical claims in excess of the coverage provided by the HAC program, or for medical claims not eligible for coverage under the HAC program.

- 2) Health eligibility:

Certification of medical eligibility for admission to the U.S. on a J-1 visa is required unless the sponsoring unit has purchased from an Agency HAC contractor special insurance coverage for short programs of 30 days or less, including travel time, which require no medical examination.

Effective immediately, sponsoring units may instruct their contractors to purchase insurance under the new designation of "Plan C" from either Agency HAC contractor. Plan C provides coverage up to a maximum of \$50,000 per injury/illness, and meets the coverage provided in Plan A from both HAC providers. The new Plan C is only for programs of 30 days or less, including travel time, and requires no participant medical exam.

Sponsoring units must understand that Plan C will not cover any medical claims for preexisting conditions, nor are there funds available in G/HCD to cover any unpaid claims. Sponsoring Units must insure that they identify the party responsible for the payment of any claims not covered by Plan C before a participant travels. Claims not covered by Plan C may be paid by the sponsoring unit, the participant or the participant's employer, or by another source. Notification of the responsible party must be added to the stakeholder compact.

E253.5.6b External: HAC Insurance and Certification of Medical Eligibility

1) HAC insurance:

Procedures for enrolling in the Agency's HAC insurance policy with one of the two Agency healthcare providers are contained in instructions on the website: <http://www.devis.com/usaaid>. (USAID clients). Sponsoring units or their contractors are to enroll participants directly into one of the two official USAID programs.

A full description of HAC medical and dental coverage may be obtained from the providers. Minimum HAC insurance coverage standards as set by USIA must be observed in order to certify participant eligibility for a J-1 visa to the U.S. **(See Mandatory References, [22 CFR 514.14](#), [Detailed Guide for Training Results.](#))**

2) Certification of medical eligibility:

Unless the participant is to attend a program of 30 days or less, and has been provided with special insurance coverage, failure to agree to undergo a medical examination terminates further processing of any training application.

Missions must ensure that the local arrangements are designed to ensure the full integrity of the examination process, including the avoidance of superficial or pro forma examinations and the prevention of fraudulent practices.

Mission policy may determine responsibility for payment of the medical exam and related travel costs according to local circumstances.

253.5.6c EXTERNAL: ENGLISH PROFICIENCY

1) English proficiency:

Verification of participants' adequacy of English for any intended English-language training program in the U.S. is required for J-1 visa eligibility, unless an interpreter is to accompany the participant. Sponsoring Units must designate the party responsible for assessing English competency.

- * A waiver **or exemption** of the language verification requirement may be approved by the training activity's Cognizant Technical Officer (CTO) or other appropriate USAID official on a case-by-case basis.
- * Participants require no testing and are presumed competent in English for sponsored study in the U.S. if their secondary and post-secondary education was conducted in English, or if within the five years preceding USAID-sponsored enrollment they completed an academic degree taught in English in the U.S., U.K., Ireland, Canada, Australia, New Zealand, **or another facility teaching in English deemed appropriate by the sponsoring unit.** This determination is made by the Cognizant Technical Officer (CTO) for the training activity or other responsible designee of the on a case-by-case basis.

E253.5.6c External: English Proficiency

1) Verification:

For those not presumed competent in English, verification is obtained by achieving prescribed scores on one of the following tests:

a. For academic programs:

- The Test of English as a Foreign Language (TOEFL) is generally required by the admitting institution. Testing schedules and materials are available from Educational Testing Services Inc., Princeton, NJ 08541, Tel. (609) 921-9000.
- If TOEFL is not specifically required, the sponsoring unit may use the American Language Institute/Georgetown University (ALIGU) English Proficiency Test (EPT), which has been distributed to all Missions.

b. For technical programs at academic institutions which do not lead to a degree, or degree programs in which a high level of reading and writing skills are required, one of the following tests must be administered:

- The American Language Institute/Georgetown University (ALIGU) English Proficiency Test (EPT); or
- The United States Information Service (USIS) Test of English Language Proficiency (TELP), available from local USIS Cultural Affairs Offices abroad.

c. For short-term courses and conferences, sponsoring units must administer the ALIGU Communicative English Proficiency Assessment (CEPA) test distributed to all Missions, or any other test designated by USIS as being appropriate for the program.

2) INTERPRETERS AND ESCORTS:

Participants who know English are never given collateral interpreter duties while in participant status, as they are not trained in interpreter skills.

253.5.6d EXTERNAL: TRAVEL TO THE U.S.

All USAID-funded travel must take place on U.S.-registered carriers unless such carriers do not operate in a host country, in which case participants are to be transferred to a U.S.-registered carrier at the first practical exchange point. Entry to and exit from the U.S. must be on a U.S.-registered carrier. USAID does not have the authority to waive this legislative requirement.

International travel funded by non-USAID sources is not limited to U.S. flag carriers. The cost of round-trip international travel and home country travel to and from the point of departure, including incidental costs, is normally paid by the host country under a cost-sharing agreement with the USAID Mission. The cost may also be paid for by other non-USAID funding sources.

E253.5.6d External: Travel to the U.S.

A Mission waiver of its host country cost-sharing agreement for international travel costs, in whole or in part, can take the form of a general country waiver, an activity-specific waiver, or a waiver for an individual participant.

253.5.6e EXTERNAL: PARTICIPANT TAXES

1) All J-1 visa holders assisted with funds from U.S. sources including USAID are subject to the IRS requirement of filing U.S. tax returns, whether or not tax payments are due.

2) All participants must be provided with an ITIN, which is obtained by filing the INS W-7 form and accompanying necessary documentation with the INS.

3) USAID sponsoring unit's fund any federal, state, or local taxes on sponsored participants' U.S. source income resulting from the official USAID-funded training program as designed by a sponsoring unit.

4) USAID holds its contractors, grantees, cooperative partners, and their participants responsible for all aspects of income tax compliance in accordance with all applicable federal, state, and local statutes and regulations.

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5) Income tax payment exclusions are as follows:

a. USAID does not fund any tax, penalties, or interest associated with its contractors', grantees', or cooperative partners' failure to comply with federal, state, and/or local statutes and regulations governing the timely reporting, withholding, payment of withholding tax on amounts of participants' U.S. source income and/or **a participants' home country tax liability**.

b. USAID does not fund any tax, penalties, or interest for any period of time when participants are in Non-Returnee status;

c. USAID does not fund any tax, penalties, or interest on any sponsored participants' amounts of income received from sources outside the United States;

d. USAID does not fund any tax, penalties, or interest on any sponsored participants' income received from non-USAID sources, except from approved assistantships, approved paid internships, and approved on-the-job training; and

e. USAID does not fund any tax, penalties, or interest for participants who return to the U.S. after completion of their USAID-sponsored training and incur retroactive tax liabilities for the time spent under USAID sponsorship.

E253.5.6e External: Participant Taxes

The essential procedures concerning participant taxes are contained in the Internal Revenue Code, 1986 and the Mandatory Reference to ADS 253. **(See Mandatory References, Internal Revenue Code, and [Detailed Guide for Training Results.](#))**

253.6 Supplementary Reference

Best Practices Guide

253.7 Mandatory References

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[ADS 201](#)

[ADS 206](#)

[ADS 522](#)

[Detailed Guide for Training Results](#)

[22 CFR 514.14](#)

[22 CFR 228.03](#)

Internal Revenue Code

[41 CFR 301-7 and -8](#)

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